



SPECIFIC AREA PLAN (SAP) OVERLAY APPLICATION

Liberty Lake Planning & Community Development
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A PRE-APPLICATION CONFERENCE IS REQUIRED PRIOR TO SUBMITTAL OF THIS APPLICATION. TO SCHEDULE A PRE-APPLICATION CONFERENCE, PLEASE CONTACT THE PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT.

PURPOSE

Specific area plan overlay districts ("specific plans") describe in more detail the type of development planned for a specific area than is typically found in a comprehensive plan or zone map. The area covered by a specific plan can include multiple parcels and land owners, or a single large parcel. Some of the characteristics of specific plans are:

- A. Designation of site specific land uses (e.g., for individual parcels);
- B. Design standards or a development style specific to a geographic area (e.g., Transit Oriented Development);
- C. Detailed description of public facilities needed to serve development;
- D. The plan is adopted through a consensus-based process involving property owners;
- E. Streamlined development review for projects that are part of the plan; and
- F. May include intergovernmental agreements and complimentary zoning for sites that cross jurisdictional boundaries (e.g., between city and county).

Specific plans usually focus on some unique feature of the site, such as natural resources, economic activity, or desired neighborhood character. Specific plans may be used for large undeveloped areas, or partially developed areas with potential for infill and redevelopment. Specific plans do not require phasing or a timeframe for development, and an application for future development (i.e., subdivision and/or site plan) need not accompany the application for specific plan approval. However, all land use applications for property within the specific plan area are required to comply with the specific area plan overlay districts policies and regulations.

CRITERIA FOR ESTABLISHING SPECIFIC AREA PLAN OVERLAY DISTRICTS

A Specific Area Plan (SAP) Overlay District is adopted by the City Council through a City Ordinance. The adoption of the SAP ordinance shall conform to the following standards and procedures:

- A. Comprehensive Plan Amendment and/or Zoning District Change Required. Specific Area Plan Overlay Districts are adopted by ordinance as an amendment to both the Comprehensive Plan and Chapter 2 (Zoning Districts) of the Development Code; except that only a zoning district change shall be required when the specific area plan is consistent with the Comprehensive Plan. If an amendment to the text of the Comprehensive Plan or the Land Use Map is required, then the SAP Overlay request will only be reviewed once a year during the Comprehensive Plan annual review period. Specific area plans that cover unincorporated areas within the UGA shall also require amendment to Spokane County's Comprehensive Plan and/or Zoning and shall comply with the Countywide Planning Policies for joint planning.
- B. Specific Area Plan (SAP) Overlay District Criteria. Specific Area Plan Overlay Districts shall meet the following minimum standards for adoption, in addition to the amendment criteria in Article 10-4F of the City Development Code:

1. **Specific Area.** The overlay district is necessary to provide land use or development standards tailored to a specific geographic area and development program, that cannot otherwise be provided through conventional zoning.
2. **Land Use Compatibility.** The overlay district provides equal or greater compatibility with surrounding land uses than what would likely occur with conventional zoning.
3. **Critical Areas.** The overlay district provides equal or greater protection to critical areas than what would likely occur with conventional zoning.
4. **Efficient Land Use.** The overlay district promotes efficient land use by allowing housing and commercial development at densities that are equal to or greater than the densities that would be allowed with conventional zoning. The overlay district may provide for density transfers or transferable development rights as a method of providing efficient land use while protecting critical areas.
5. **Land Use and Transportation Relationship.** The overlay district provides equal or greater opportunities for alternative modes of transportation (e.g., walking, bicycling, transit) than what would likely occur with conventional zoning by:
 - encouraging or requiring mixed use development where applicable;
 - providing a master plan with direct and convenient pedestrian and bicycle connections between all land uses; and
 - providing for transit service where applicable.
6. **Design Standards.** The design standards of Chapters 2 and 3 of the City Development Code shall apply to all development. In addition, the district shall provide development design standards that are equal to or greater than the standards that would be required with conventional zoning (e.g., building orientation, parking, open space, architectural guidelines, etc.). Where SAP and Chapter 2 or Chapter 3 standards conflict, SAP standards prevail.

SPECIFIC AREA PLAN (SAP) OVERLAY DISTRICT REVIEW

Specific Area Plan (SAP) Overlay District request will be reviewed as a Type IV Project, as outlined in Section 10-4B-3, subsection E and Section 10-4B-5 of the City Development Code. Type IV matters are considered initially by the Planning Commission with final decisions made by the City Council. The project permit 120 day process timeline shall not apply to Type IV projects and Type IV projects shall only be reviewed once a year. Applications for project development proposals may run concurrently with a Specific Area Plan (SAP) Overlay request.

Planning Commission Review - The initial hearing(s) for a SAP Overlay request would be before the Planning Commission and may be preceded by public workshops. At the hearing(s), individuals and agencies can provide testimony. This notice occurs via the mail, posting on the City website, publication in the official City newspaper, and on site signage. The Planning Commission's decision will be a recommendation to the City Council. Additionally, a SEPA review process and threshold determination will occur during the Planning Commission review process.

A Type III Project notice procedure is utilized for preparation of the Notice of Hearing before the City Planning Commission. Public workshop notices will only require posting on the City website and publication in the official City newspaper. The applicant shall be responsible for preparing the notification envelopes and on-site signage, and P&CD shall publish a Notice of Hearing in the official City newspaper and on the City website, at least ten (10) calendar days prior to the hearing stating the date, time, place, and purpose of the hearing.

State Agency Review - As outlined in WAC 365-197-620 and RCW 36.70A.106, P&CD shall notify the WA State Dept. of Community, Trade, & Economic Development (CTED) of its intent to adopt such a plan at least sixty days prior to final adoption. State agencies including the department may provide comments during the public review process prior to adoption.

City Council Review - The City Council will conduct additional 'open record' public hearing(s) at a regularly scheduled City Council meeting to render the final decision on Type IV projects. The Planning Commission recommendation will normally be reviewed during a first reading of a draft SAP Overlay ordinance and the

'open record' public hearing will occur during the same meeting as the second reading of the draft SAP Overlay ordinance.

A Type III Project notice procedure is also utilized for preparation of the Notice of Hearing before the City Council. Public workshop notices will only require posting on the City website and publication in the official City newspaper. The applicant shall be responsible for preparing the notification envelopes and on-site signage, and P&CD shall publish a Notice of Hearing in the official City newspaper and on the City website, at least ten (10) calendar days prior to the hearing stating the date, time, place, and purpose of the hearing.

City Council Decision - The SAP Overlay request may be adopted or denied by ordinance of the City Council. and when the City Council makes a decision on a SAP Overlay ordinance, the Parties shall receive notification as follows, per the Type III Project notice procedure:

- The applicant shall receive the notice by certified mail,
- Parties of record, the Spokane County Assessor, and those that requested notice of the decision shall receive notification by regular mail.

P&CD shall also publish a notice in the official City newspaper and on the City website. Additionally, the City shall transmit a complete and accurate copy of the adopted comprehensive plan or development regulations amendments to the state as outlined in WAC 365-197-620 and RCW 36.70A.106 within 10 days after the final adoption.

APPLICATION - PART 1

ANSWER THE FOLLOWING, AS APPLICABLE (ANSWER N/A IF NOT APPLICABLE TO THIS SAP OVERLAY REQUEST)

APPLICANT 1:

Name: _____ Contact Person: _____
Mailing Address: _____ Phone: _____
City/State/Zip: _____ Fax Number: _____
Signature: _____ E-mail: _____

APPLICANT 2:

Name: _____ Contact Person: _____
Mailing Address: _____ Phone: _____
City/State/Zip: _____ Fax Number: _____
Signature: _____ E-mail: _____

AGENT/ CONSULTANT/ ATTORNEY: (mandatory if primary contact is different from applicant or property owner)

Name: _____ Contact Person: _____
Mailing Address: _____ Phone: _____
City/State/Zip: _____ Fax Number: _____
Signature: _____ E-mail: _____

PROPERTY OWNER:

Name: _____ Contact Person: _____
Mailing Address: _____ Phone: _____
City/State/Zip: _____ Fax Number: _____
Signature: _____ E-mail: _____

PROPERTY OWNER 2 : (if more than two property owners attach additional info/signature sheets)

Name: _____ Contact Person: _____
Mailing Address: _____ Phone: _____
City/State/Zip: _____ Fax Number: _____
Signature: _____ E-mail: _____

The above signed property owners certify that the above information is true and correct to the best of our knowledge and under penalty of perjury, each state that we are all of the legal owners of the property described above and designate the above listed agent/consultant/attorney to act as our agent with respect to this application.

Site Address / Location: _____

Parcel Number(s) of Project / Proposal: _____

Legal Description of Project / Proposal: _____

Section_____ Township_____ Range_____ Source of Legal Description: _____

Parcel Size(s): _____

Adjacent Area Owned or Controlled (acres or sq. ft.): _____

Parcel Number(s) of Adjacent Area: _____

Land Use Map

Zoning Map

Current Designation: _____

Existing Use of Property: _____

Proposed Use of Property:

Single Family Dwellings ☐

Duplexes ☐

Multifamily Dwellings ☐

Manufactured Homes ☐

Commercial ☐

Industrial ☐

Mixed Use ☐

Other ☐ (describe): _____

School District: _____

Fire District: _____

Sewer Purveyor: _____

Water Purveyor: _____

List Previous Planning Actions Involving Subject Property: _____

Name of Public Road(s) Providing Access: _____

Width of Property Fronting on Public Road: _____

Does the Proposal Have Access to an Arterial or Planned Arterial: ☐ YES ☐ NO

Name of Arterial Road(s): _____

If You Do Not Hold Title to the Property, What is Your Interest In It? _____

What Impacts Will the Proposed SAP Overlay Have on the Adjacent Properties? _____

What Measures Do You Propose to Mitigate Your Proposal's Impact on Surrounding Land Use? _____

Specific Area Plan Overlay Text. SAP Overlay District ordinances shall set forth the following provisions and standards. On a separate sheet of paper, please address each of the following sections:

- A. Name and Purpose of Overlay District. This section shall describe the overlay district in sufficient detail as to clarify the purpose and intent of the overlay district regulations.
- B. Implementation. This section shall describe the required land use application process for development within the overlay district, including any modifications to the procedures in Chapter 4 of the City Development Code (e.g., Type I or Type II application versus Type III, etc.). This section shall also reference intergovernmental agreements that apply to the plan area (i.e., when part of the plan area lies outside of the City, within an unincorporated area).
- C. Land Use & Development Standards. This section shall do the following:
 - 1. Specify any required land use conditions (i.e., land use mix, density, buffering, etc.).
 - 2. Identify permitted and prohibited land uses, and uses with special requirements or review procedures (i.e., site design review, conditional use, etc.).
 - 3. Identify lot standards, including requirements for new lots, such as lot area, dimensions, and density, as applicable.
 - 4. Identify required building setbacks for front, side, rear, and flanking yards, as applicable.
 - 5. The design standards of Chapters 2 and 3 will be used to review Specific Area Plan Overlay proposals.
 - 6. The criteria in Section 10-2M-4 of the City Development Code shall be used in creating land use and development standards (see Criteria for Establishing Specific Area Plan Overlay Districts on Pages 1 & 2 above and address items in Section "B").

Specific Area Plan Maps. Specific Area Plan Overlay District ordinances shall include the following plan maps:

- A. Boundary Map. A boundary map shall be prepared for every Specific Area Plan Overlay District. The boundary map (i.e., based on parcel boundaries or other surveyed boundaries) shall be used to delineate areas of the district that lie within the city's boundaries on the official zoning map. The zoning map shall identify such areas as "SAP", and reference the applicable specific area plan ordinance (the ordinance number will be assigned by the City and must be indicated on the final boundary map only).
- B. Specific Area Plan Map. A Specific Area Plan Map shall designate the land use types and intensities permitted within the overlay district. The plan shall identify areas for the following land uses, as applicable:

1. Residential
2. Commercial
3. Industrial
4. Mixed use
5. Open Space
6. Other (describe)

The plan shall identify sufficient area for any needed parks, schools, libraries and other public and facilities based on the City's Comprehensive Plan and other applicable policies and plans.

C. Conceptual Development Plan. The Specific Area Plan shall provide a conceptual development plan, with maps indicating the following features:

1. Blocks. A map with the general location and configuration of all blocks (i.e., areas bounded by streets).
2. Residential Land Use. A map with proposed residential densities, permitted housing types, and general lot patterns. Specific lot patterns shall be refined during land division approval.
3. Transportation Plan. A transportation plan map shall indicate future street connections to existing streets, and connections within the plan area. At a minimum, the plan shall indicate the general alignment of collector and arterial streets, and potential local access street connections. Final street alignments and design shall be subject to final engineering approvals. The plan shall also indicate the location of bicycle, pedestrian, and transit improvements that are necessary to serve the area, in conformance with City Development Code Article 10-3B and 10-3G.
4. Preliminary Grading and Utilities Plan. The preliminary grading and utilities plan shall indicate the extent of grading (i.e., cuts and fills) and the general alignment and sizing of major utility lines necessary to serve the area, including sanitary sewer, water, and storm drainage. Actual utility alignments and design shall be subject to engineering approvals through the land division and/or site design review process.

APPLICATION - PART 2

THE ITEMS BELOW MUST BE SUBMITTED WITH YOUR APPLICATION, AS APPLICABLE:

☐ **APPLICATION FORM & FEES**

Submit completed application on the attached form with all signature blocks completed and non-refundable application fees and associated environmental fees (contact the Planning & Community Development Dept. for a copy of the current fee schedule). *Acceptance of the application and fees does not guarantee approval of the SAP Overlay request).*

☐ **WRITTEN RESPONSES TO SPECIFIC AREA PLAN OVERLAY TEXT PROVISIONS & STANDARDS**

☐ **ASSESSOR'S SECTION MAPS**

Submit **2** copies of current County Assessor maps showing the subject property outlined in red and adjacent property owned or under option to the owner or sponsor (indicate adjacent property with a red dashed line). Adjacent includes property located across roads and rivers, etc.

Assessor maps are available at the County Assessor's Office and must be current (less than 30 days old) at the time of submittal and stamped by a licensed land surveyor. Platted (1"=200') and range (1"=400') parcel maps must be obtained, as you may need both sets, depending on your property location. The maps are used for legal notification of property owners within 400 feet of the boundary of the total contiguous ownership and/or controlled property (shown in red). Label and show in red line the 400 foot boundary from the total contiguous ownership.

Note: The property does not have to be surveyed at this time. The map stamped by a licensed land surveyor verifies the written legal description for the subject property(s) is an approximate representation on the map.

☐ **ZONING SECTION MAP**

Submit **1** copy of the official zoning map with the boundary of the proposed SAP Overlay district indicated in red. The zoning boundary shall be stamped by a licensed land surveyor. Copies of official zoning maps are obtainable from the City of Liberty Lake Planning & Community Development Department. (The written legal description(s) on the application form and the zoning boundary(s) shown on the map shall coincide).

Note: The property does not have to be surveyed at this time. The map stamped by a licensed land surveyor verifies the written legal description for the proposed SAP Overlay district is an approximate representation on the zoning map.

☐ **ENVIRONMENTAL CHECKLIST**

☐ **CERTIFICATE OF WATER & SEWER AVAILABILITY**

Submit **1** copy of a signed certificate of water availability from the water purveyor and **1** copy of a letter from the sewer purveyor discussing how sewer will be provided to the site (size of lines and improvements required to connect) and whether the required improvements are in conformance with the approved sewer comprehensive plan or an amendment to the sewer comprehensive plan is required.

☐ **SPECIFIC AREA PLAN MAPS**

Submit **3** copies of each of the SAP Overlay proposal maps (Boundary Map, Specific Area Plan Map, & Conceptual Development Plan) drawn to scale and **1** of each of the SAP Overlay proposal maps (Boundary Map, Specific Area Plan Map, & Conceptual Development Plan) reduction (8 1/2" x 11" or 11" x 17") indicating the information required under Specific Area Plan Maps above.

☐ **REQUIRED PUBLIC NOTICE** - Planning & Community Development staff will provide you with the preparation instructions at the Pre-Application Conference

☐ **OTHER EXHIBITS OR APPLICATIONS**

APPLICATION - PART 3

SURVEYOR VERIFICATION

I, THE UNDERSIGNED, A LICENSED LAND SURVEYOR, HAVE COMPLETED THE INFORMATION REQUESTED. THE MAPS HAVE BEEN PREPARED BY ME OR UNDER MY SUPERVISION IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY OF LIBERTY LAKE ZONING / SUBDIVISION REGULATIONS AND THE LAWS OF THE STATE OF WASHINGTON.

PRINTED NAME: _____ PHONE: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

SIGNATURE OF SURVEYOR _____ DATE _____

I, THE UNDERSIGNED, SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT THE ABOVE RESPONSES ARE MADE TRUTHFULLY AND TO THE BEST OF MY KNOWLEDGE. I FURTHER SWEAR OR AFFIRM THAT I AM THE OWNER OF RECORD OF THE AREA PROPOSED FOR THE PREVIOUSLY IDENTIFIED LAND USE ACTION, OR, IF NOT THE OWNER. ATTACHED HEREWITH IS WRITTEN PERMISSION FROM THE OWNER AUTHORIZING MY ACTIONS ON HIS/HER BEHALF.

PRINTED NAME: _____ PHONE: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

SIGNATURE OF APPLICANT OR REPRESENTATIVE _____ DATE _____

STATE OF WASHINGTON)
) ss:
CITY OF LIBERTY LAKE)

Notary: Signed and sworn to before me this _____ day of _____, 20_____

Notary Public in and for the State of Washington

Residing at: _____

My Appointment Expires: _____

THIS APPLICATION AND ALL SUPPORTING MATERIAL REQUIRED BY THE CITY MUST BE SUBMITTED AT THE TIME OF APPLICATION IN ORDER FOR THE APPLICATION TO BE COMPLETE.

(PLANNING & COMMUNITY DEVELOPMENT DEPT. OFFICE USE ONLY)

DATE RECEIVED: _____

RECEIVED BY: _____

DATE COMPLETE: _____

FILE NUMBER: _____

TOTAL FEES: _____

RECEIPT NUMBER: _____